



Docket No.: 251002009400
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Eiko SEKI et al.

Application No.: 09/994,573

Filed: November 26, 2001

For: METHODS FOR PRODUCING PROTEIN
DOMAINS AND ANALYZING THREE
DIMENSIONAL STRUCTURES OF
PROTEINS USING SAID DOMAINS

Art Unit: 1653

Examiner: Hope A. Robinson, M.S.

DECLARATION UNDER 37 C.F.R. § 1.131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, Eiko Seki, Takanori Kigawa and Shigeyuki Yokoyama, declare as follows:

1. We are the inventors of the subject matter claimed in the above-identified application.
2. We have read and understand the present application and the Office Action including the references cited therein. We understand that a paper, Kawasaki, M., *et al.*, *Biochem. Biophys. Res. Com.* (2001) 280:842-844 has been cited as the basis for rejection of at least some of our claims.
3. We made the claimed invention, directed to a method for producing soluble proteins or protein domains, and reduced it to practice in Japan prior to 25 December 2000. We understand the actual publication date of Kawasaki, *et al.*, to be 26 January 2001 and note that the paper was received 25 December 2000. The exhibits to this Declaration constitute evidence that reduction to practice occurred prior to 25 December 2000.